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END5241USNPAmendments to the Claims

In the Claims:

1. (currently amended) A biopsy device comprising:
a hollow sleeve adapted to receive a tissue piercing element therein, the sleeve comprising an open proximal end, a distal end, a sidewall extending between the proximal end and the distal end, and a tissue receiving opening disposed intermediate the proximal end and the distal end, wherein the tissue receiving opening is formed laterally in the sidewall; and

at least one electrode disposed on the sleeve, wherein the at least one electrode is adapted for providing coagulation.
2. (currently amended) The biopsy device of Claim 1 having at least one electrode disposed on the sleeve such that at least a portion of the electrode is positioned proximally of the distal most portion of the tissue receiving opening, wherein the sleeve has an open distal end.
3. (original) The biopsy device of Claim 1 wherein at least one electrode is associated with the tissue receiving opening.
4. (original) The biopsy device of Claim 1 comprising at least two electrodes.
5. (original) The biopsy device of Claim 1 comprising first and second electrodes associated with the edges of the tissue receiving opening.
6. (original) The sleeve of Claim 1 further comprising a connector for releasably attaching the sleeve to a biopsy device.

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7. (currently amended) The device of Claim 1 ~~wherein the at least one electrode is operatively connected to a source of electrical energy comprising at least one electrode disposed on an outer surface of the sleeve, the electrode having an outwardly facing electrode surface with a length dimension of between about 20 mm and about 40 mm and a width dimension of between about 3 mm and about 8 mm.~~

8. through 20. (canceled)

21. (Currently amended) A biopsy device comprising:

a hollow sleeve comprising a proximal end, a distal end, a unitary sidewall extending from the distal end to the proximal end, and a lateral opening formed through a portion the unitary sidewall, wherein the lateral opening is configured to receive tissue, wherein the sleeve is configured to axially receive a portion of a biopsy probe instrument; and

~~one or more electrodes~~ at least one electrode disposed on an outer surface of the sleeve, wherein at least a portion of the electrode is disposed proximally of a distal most portion of the lateral opening ~~associated with the sleeve.~~

22. (previously presented) The biopsy device of Claim 21 wherein the lateral opening is located proximal of the distal end of the sleeve, wherein a portion of the sleeve separates the lateral opening from the distal end of the sleeve.

23. (previously presented) The biopsy device of Claim 21 wherein a portion of the sidewall extends unitarily from the proximal end of the sleeve to the distal end of the sleeve.

24. (previously presented) The biopsy device of Claim 21 further comprising a connector operable to selectively couple the sleeve with the biopsy probe instrument.

25. (currently amended) The biopsy device of Claim 21 ~~wherein the biopsy probe instrument comprises a distal end having a knife tip, wherein the es a distal end having a knife tip, wherein the sleeve is configured such that the knife tip extends distally from the distal end of~~

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~~the sleeve when the sleeve is coupled with the biopsy probe instrument wherein the sleeve has an open distal end, wherein the sleeve is configured to axially receive a biopsy probe having a distal tip for penetrating tissue, and wherein the sleeve is configured such that the distal tip of a biopsy probe extends distally from the open distal end of the sleeve when the sleeve is disposed axially over the biopsy probe.~~

26. (previously presented) The biopsy device of Claim 21 wherein the biopsy probe instrument has a tissue receiving window, wherein the sleeve is configured such that the lateral opening of the sleeve permits communication of tissue through the lateral opening of the sleeve and through the tissue receiving window of the biopsy probe instrument when the sleeve is coupled with the biopsy probe instrument.

27. (previously presented) The biopsy device of Claim 21 wherein the biopsy probe instrument is configured to communicate electrical signals to the electrodes when the sleeve is coupled with the biopsy probe instrument.

28. (previously presented) The biopsy device of Claim 21 wherein the electrodes are configured to receive communication of electrical signals from a power source independent of the biopsy probe instrument.

29. (currently amended) The biopsy device of Claim 21 comprising first and second electrodes positioned along opposite sides of the lateral opening ~~wherein the one or more electrodes comprises a longitudinal electrode positioned along the sidewall.~~

30. (previously presented) The biopsy device of Claim 21 wherein the one or more electrodes comprises an annular electrode positioned at the distal end of the sleeve.

31. (previously presented) The biopsy device of Claim 21 wherein the one or more electrodes comprises a pair of electrodes separated by an electrode gap.

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32. (previously presented) The biopsy device of Claim 21 wherein the distal end of the sleeve is open.

33. (New). The biopsy device of Claim 21 having two electrodes, each electrode extending lengthwise in a direction parallel to the longitudinal axis of the sleeve, and at least a portion of each electrode disposed proximally of a distal most portion of the lateral opening.

34. (currently amended) A biopsy device for obtaining a tissue sample at a sample site within a patient, the biopsy device comprising:

a hollow tissue piercing member having tissue piercing distal end and a tissue receiving port spaced proximally from the tissue piercing distal end, the hollow tissue piercing member insertable in a tissue mass within a patient;

a hollow cutter translatable within the hollow tissue piercing member for severing tissue received in the tissue receiving port at a sample site within the tissue mass; and

at least one electrode disposed outwardly of the hollow tissue piercing member, the at least one electrode adapted to provide coagulation at the sample site after a tissue sample is severed by the cutter.

~~a biopsy probe instrument, wherein the biopsy probe instrument comprises a cutter, wherein the cutter is operable to sever a tissue sample;~~

~~a hollow sleeve coaxially positionable external to the cutter, wherein the hollow sleeve comprises a sidewall and an lateral opening formed through a portion of the sidewall, wherein the opening is configured to permit tissue to pass through the sidewall of the sleeve for the tissue to be severed by the cutter; and~~

~~one or more electrodes, wherein the one or more electrodes are associated with one or both of the biopsy probe instrument or the hollow sleeve.~~